

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: JAMES JOHN KUBASKO	:	CHAPTER 13
Debtor(s)	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
JAMES JOHN KUBASKO	:	
Respondent(s)	:	CASE NO. 5-20-bk-00462

TRUSTEE’S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 9th day of August, 2021, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)’ plan for the following reason(s):

1. Debtor(s)’ plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
2. Debtor(s)’ plan violates 11 U.S.C. Sec. 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, debtor’s have excess non-exempt equity in the following:
 - a. Claims – Schedule B, Line 30.
3. The Trustee avers that debtor(s)’ plan is not feasible based upon the following:
 - a. Plan ambiguous – Claims – Section 2(E).
4. Trustee avers that debtor(s)’ plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2019 and 2020 Federal Income Tax return.
 - b. Listing Agreements for real estate.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 18th day of August, 2021, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Tullio DeLuca, Esquire
381 N. 9th Avenue
Scranton, PA 18504

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee